



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT

JENNIFER M. GRANHOLM  
GOVERNOR

LANSING

May 11, 2010

227056

REBECCA A. HUMPHRIES  
DIRECTOR

Ms. Cynthia T. Brown, Chief  
Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 East Street, SW  
Washington, DC 20423-0001

**ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11/11/09 BY 60322 UCBAW**



ENTERED  
Office of Proceedings  
MAY 12 2010  
Part of  
Public Record

Dear Ms. Brown:

**SUBJECT:** Escanaba & Lake Superior Railroad Company – Abandonment Exemption –  
in Ontonagon and Houghton Counties, Michigan, STB Docket No. AB-415  
(Sub-No. 2X)

This request is filed on behalf of the Michigan Department of Natural Resources and Environment, which is a government agency interested in recreation and natural resources, hereinafter referred to as "proponent."

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between milepost 408.02 at Ontonagon and milepost 365.09 at Sidnaw.

**A. Request for Public Use Condition**

Proponent asks the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. Justification for this condition is: The corridor would make an excellent recreational trail and provides an opportunity to connect to two other rail corridors already developed for trail use by proponent. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to conduct appraisal and title review, and begin negotiations with the carrier.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts, and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

**B. Request for Interim Trail Use**

The railroad right-of-way in this proceeding is suitable for railbanking.

Justification for this condition is: The corridor would make an excellent recreational trail and provides an opportunity to connect to two other rail corridors already developed for trail use by proponent.

**STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY**

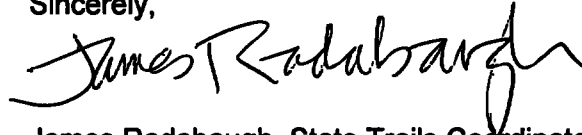
In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, the proponent is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by and operated by Escanaba & Lake Superior Railroad Company.

The property extends from railroad milepost 408.02 at Ontonagon to railroad milepost 365.09 at Sidnaw, a distance of 42.93 miles in Ontonagon and Houghton Counties, Michigan. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-415 (Sub-No. 2X).

A map depicting the right-of-way is enclosed. Proponent acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above, and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon Escanaba & Lake Superior Company, c/o Keith G. O'Brien, Baker & Miller PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037, by U.S. Mail, postage prepaid, first class, this 11th day of May, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read "James Radabaugh", with a stylized flourish at the end.

James Radabaugh, State Trails Coordinator  
Forest Management Division  
517-373-1276

**Enclosure**

cc: Mr. Keith G. O'Brien, Baker & Miller PLLC  
Mr. Paul Arsenault, Concepts Consulting, Inc.  
Mr. David Freed, DNRE  
Mr. Roger Storm, DNRE



# ESCANABA & LAKE SUPERIOR RAILROAD COMPANY

One Larkin Plaza, Wells, MI 49894  
(908) 788-0693 / FAX (908) 788-8012

## MICHIGAN

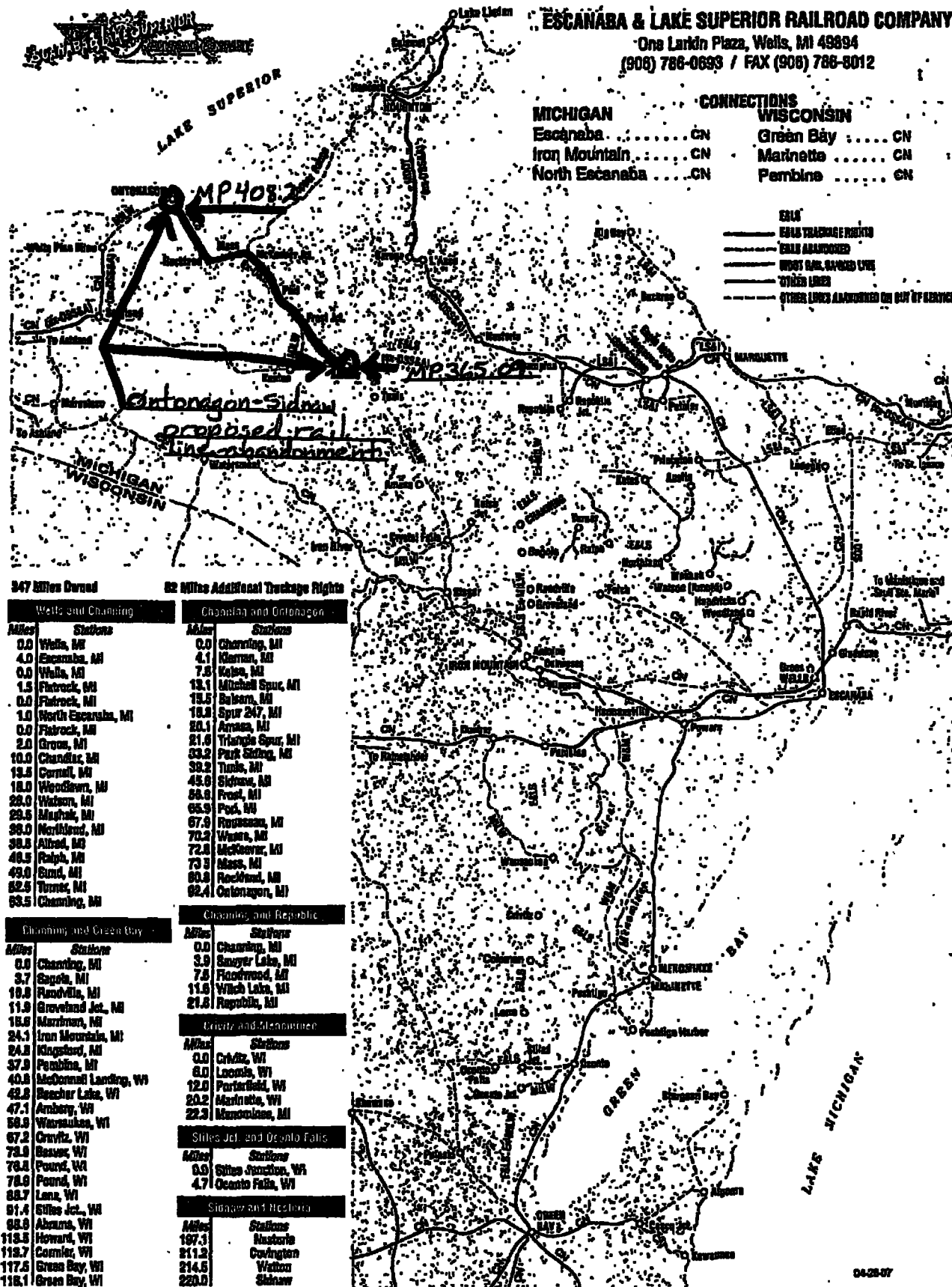
Escanaba ..... CN  
Iron Mountain ..... CN  
North Escanaba ..... CN

## CONNECTIONS

### WISCONSIN

Green Bay ..... CN  
Marquette ..... CN  
Pembine ..... CN

ESL  
ESL TRAILHEAD RIGHTS  
ESL ABANDONED  
WISDOT RAIL SPACED USE  
OTHER LINES  
OTHER LINES ABANDONED ON DAY OF SERVICE



### 347 Miles Owned

### 82 Miles Additional Trackage Rights

#### Wells and Channing

| Miles | Stations           |
|-------|--------------------|
| 0.0   | Wells, MI          |
| 4.0   | Escanaba, MI       |
| 0.0   | Wells, MI          |
| 1.5   | Fatrock, MI        |
| 0.0   | Fatrock, MI        |
| 1.0   | North Escanaba, MI |
| 0.0   | Fatrock, MI        |
| 2.0   | Groes, MI          |
| 10.0  | Chandlar, MI       |
| 19.5  | Cornell, MI        |
| 18.0  | Woodburn, MI       |
| 28.0  | Watson, MI         |
| 29.5  | Mashuk, MI         |
| 38.0  | Northland, MI      |
| 38.5  | Alford, MI         |
| 48.5  | Ralph, MI          |
| 49.0  | Sund, MI           |
| 52.5  | Turner, MI         |
| 63.5  | Channing, MI       |

#### Channing and Ontonagon

| Miles | Stations          |
|-------|-------------------|
| 0.0   | Channing, MI      |
| 4.1   | Kaman, MI         |
| 7.5   | Kates, MI         |
| 13.1  | Mitchell Spur, MI |
| 15.5  | Balsam, MI        |
| 18.5  | Spur 247, MI      |
| 20.1  | Anasa, MI         |
| 21.6  | Triangle Spur, MI |
| 33.2  | Park Station, MI  |
| 39.2  | Tind, MI          |
| 45.8  | Sikoma, MI        |
| 56.8  | Prost, MI         |
| 65.9  | Peel, MI          |
| 67.9  | Roussseau, MI     |
| 70.2  | Woods, MI         |
| 72.8  | McKenzie, MI      |
| 73.3  | Mass, MI          |
| 80.8  | Rockford, MI      |
| 82.4  | Ontonagon, MI     |

#### Channing and Green Bay

| Miles | Stations              |
|-------|-----------------------|
| 0.0   | Channing, MI          |
| 3.7   | Sagele, MI            |
| 10.8  | Rockville, MI         |
| 11.9  | Groveford Jct., MI    |
| 18.9  | Marmora, MI           |
| 24.1  | Iron Mountain, MI     |
| 24.2  | Kingsford, MI         |
| 37.9  | Pembine, MI           |
| 40.8  | McDonnell Landing, WI |
| 42.8  | Recher Lake, WI       |
| 47.1  | Amberg, WI            |
| 56.9  | Warren, WI            |
| 67.2  | Gravitz, WI           |
| 73.9  | Sauk, WI              |
| 78.1  | Pound, WI             |
| 78.9  | Pound, WI             |
| 83.7  | Lenz, WI              |
| 91.4  | Siles Jct., WI        |
| 98.8  | Abana, WI             |
| 113.5 | Howard, WI            |
| 118.7 | Cornier, WI           |
| 117.5 | Green Bay, WI         |
| 116.1 | Green Bay, WI         |

#### Channing and Republic

| Miles | Stations        |
|-------|-----------------|
| 0.0   | Channing, MI    |
| 3.9   | Smayer Lake, MI |
| 7.5   | Floodwood, MI   |
| 11.8  | Wich Lake, MI   |
| 21.6  | Republic, MI    |

#### Green Bay and Menomonie

| Miles | Stations      |
|-------|---------------|
| 0.0   | Crivitz, WI   |
| 6.0   | Locois, WI    |
| 12.0  | Portfield, WI |
| 20.2  | Marquette, WI |
| 22.3  | Menomonie, WI |

#### Siles Jct. and Oconto Falls

| Miles | Stations           |
|-------|--------------------|
| 0.0   | Siles Junction, WI |
| 4.7   | Oconto Falls, WI   |

#### Sidney and Neesham

| Miles | Stations  |
|-------|-----------|
| 197.3 | Neesham   |
| 211.2 | Covington |
| 214.5 | Watson    |
| 220.0 | Sidney    |